

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14212 of 2016

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Pravin Kumar Pranav S/o Late Hari Shankar Jha resident of Mohalla -
Vidyapati Nagar, Ward No. 16, P.S. and District - Saharsa.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura through its Registrar.
3. The Vice-Chancellor, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.
4. The Registrar, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.
5. The Principal, Rajendra Mishra College, Saharsa, District - Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Subhodh Kumar Jha, Advocate
For B.N.M.U.	:	Mr. Ritesh Kumar, Advocate
For the Respondent/s	:	Mr. Madhukar Mishra, A.C. to S.C.16

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 04-07-2019 Heard learned counsel for the petitioner, learned counsel appearing on behalf of the respondent State and learned counsel appearing for the University.

Many fold submissions have been advanced on behalf of the petitioner, but the only issue required adjudication in the present writ petition is discrimination in grant of relief to the petitioner.

Learned counsel for the petitioner, with reference to the supplementary affidavit, would submit that the similarly situated cases were considered by the respondent but in the case



of the petitioner, different stand has been taken by the respondent. Discrimination in the decision making process goes to the roof of case. It is settled proposition of law that discrimination falls in the category of primary review at the touchstone of doctrine of proportionality.

Under the aforesaid circumstance, the Court is constrained to direct the respondents to consider the case of the petitioner in and if similarly circumstanced other cases were favourably considered, then petitioner deserve similar treatment. Necessary decision, after adopting corrective measures to rectify discrimination committed by the respondents, may be taken within a maximum period of three months from the date of receipt/production of a copy of this order.

With the aforesaid, the present writ petition is disposed of.

(Anil Kumar Upadhyay, J)

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